



**LOUISIANA
BOARD OF PARDONS**

Number: 02.209-POL
Date: July 20, 2016
Page: 1 of 3

BOARD POLICY

SUBJECT: HEARINGS BEFORE THE BOARD OF PARDONS

PURPOSE:

To describe the Pardon Board hearing process

AUTHORITY:

LAC Title 22, Part 5, Chapter 1; La. R.S. 15:572

REFERENCE:

ACA Standard 2-1074-1, 1093, and 1128-1, Board Policy 02-205, "Application Filing Procedures", Board Policy 05-509, "Victim Notification and Participation in Hearings"

POLICY:

The Board of Pardons (Board) shall meet on regularly scheduled dates as determined by it, and at such other times as the Chairman may determine are necessary for the purpose of reviewing and taking action on clemency applications before it and to transact such other business as it deems necessary. The meeting calendar shall be available to the public. The hearing dates shall also be posted on the website maintained by the Board.

PROCEDURES:

- A. After receipt of all documents required by Board Policy 02-205, "Application Filing Procedures" and the clemency investigation from the appropriate probation and parole district, the Board shall set the matter for public hearing.
 - 1. Applications and/or requests for reconsideration as outlined in Board Policy 02-205, "Application Filing Procedures" shall be conducted during an administrative review, without testimony taken from the applicant.
- B. At least 30 days prior to public hearing date, the Board shall give written notice of the date, time, and place in accordance with Board Policy 05-509, "Victim Notification and Participation in Hearings".

- C. At least 30 days prior to public hearing date, the Board shall give written notice of the date, time, and place to the following:
1. the district attorney and sheriff of the parish in which the applicant was convicted; and, in Orleans Parish, the superintendent of police;
 2. the applicant;
 3. the victim who has been physically or psychologically injured by the applicant (if convicted of that offense), and the victim's spouse or next of kin, unless the injured victim's spouse or next of kin advises the Board, in writing, that such notification is not desired;
 4. the spouse or next of kin of a deceased victim when the offender responsible for the death is the applicant (if convicted of that offense), unless the spouse or next of kin advises the Board, in writing, that such notification is not desired;
 5. the Crime Victims Services Bureau of the Department of Public Safety and Corrections; and
 6. any other interested person who notifies the Board of Pardons, in writing, giving name and return address.
- C. The district attorney, injured victim, spouse, or next of kin, and any other persons who desire to do so shall be given a reasonable opportunity to attend the hearing. The district attorney or his representative, victim, victim's family, and a victim advocacy group, may appear before the Board of Pardons by means of telephone communication from the office of the local district attorney.
- D. Only three persons in favor, to include the applicant, and three in opposition, to include the victim/victim's family member, will be allowed to speak at the hearing. Any person making an oral presentation to the Board will be allowed no more than five minutes. All persons making oral presentations in favor of an applicant shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10 minutes. However, there is no limit on written correspondence in favor of and/or opposition to the applicant's request.
- E. If an applicant is released from custody and/or supervision prior to public hearing date, the case will be closed without notice to the applicant. Applicant may reapply two years from the date of release.
- F. Applicant's failure to attend and/or notify the Board of Pardons office of his/her inability to attend the hearing will result in an automatic denial. The applicant may reapply two years from the date of scheduled hearing. Lifers who fail to attend and/or advise of inability to attend may reapply in five years if it is his/her initial hearing, and every five years thereafter.

- G. Four members of the Board shall constitute a quorum for the transaction of business, and all actions of the Board shall require the favorable vote of at least four members of the Board.

SHERYL M. RANATZA, CHAIRMAN

**Signature on file*

This policy replaces and supersedes 02-209 dated December 9, 2012.